Research Note

Christian Wolff's Lectures on Grotius's *De Iure Belli ac Pacis* from 1739–1740

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Abstract

This note announces a recent find in a private Swiss archive: Christian Wolff's complete lecture course on Grotius's *De iure belli ac pacis* that he gave at the University of Marburg between June 1739 and May 1740.

Keywords

Hugo Grotius – Christian Wolff – lecture course

The reception of Grotius during the eighteenth century is fairly well researched, and there are rarely any discoveries that add in any substantial way to our understanding of how his *De iure belli ac pacis* was read during the Enlightenment period. A recent find in a private library in Switzerland, however, has the potential of doing just that. The find in question is a manuscript bound in

eight volumes titled 'Christiani Wolffi Praelectiones in H. Grotii Opus de J.B. et P. Marpurgi' that was purchased most likely by Emanuel von Graffenried, a member of one of Bern's leading families, during his studies (1746–1748) at the Protestant universities in Halle and Marburg. The manuscript contains a full length lecture course, that the German philosopher Christian Wolff gave in Marburg between June 1739 and May 1740.

The exact manner in which this important manuscript, amongst many others, found its way into the library of a relatively unknown Bernese magistrate still needs to be established. Born in 1726 Emanuel von Graffenried belonged to a generation of Swiss reform minded patricians, like Isaak Iselin, Vinzenz Bernard Tschanner, and Hans Caspar Hirzel, who from the Seven Years War onwards called for the modernisation of the Swiss economy and a closer realignment of the various members of the Helvetic Confederation. Although Emanuel von Graffenried was friends with most of these reformers and was directly involved in setting up one of the most famous Swiss reform societies, the 'Oeconomic Society of Bern' founded in 1759, his *vita* remains largely unexplored. We know that as a young man he participated in literary circles inspired by Johann Christoph Gottsched's debates on the reform of the German language and that he later became an active member of the 'Helvetic Society' founded in 1761. He also participated in the so called 'Äussere Stand', a kind of shadow state, where Bern's young patricians could act out roles they would eventually come to occupy as members of the Great Council. A historical speech he gave in that setting on the Swiss involvement in the Burgundian wars against Charles the Bold, as well as a description of his manor published in the journal of the 'Oeconomic Society' provide some information on his education and intellectual preferences, but not much. Nor is there any indication that he aspired to any other career than that of a magistrate of the republic of Bern. All the more astonishing, therefore, is his library that has been preserved intact by his descendants and which, besides the usual literature on house-keeping and politics, contains an important collection of legal studies, notably on Roman Law. It also contains a collection of over 1500 law dissertations from the eighteenth century which he most likely acquired en bloque in either Halle or Marburg. None of this concurs with the legal expertise commonly expected from a local magistrate.

At present we do not know much about the studies of Emanuel von Graffenried and his stay in Halle, but his library gives some hints of his interests. We definitely know that he inscribed himself for law studies at the Fridericiana in Halle in autumn 1746 and that he left Halle in 1748, when he went to Marburg to continue his studies. Von Graffenried's collection of books immediately show that during his time in Halle he was especially interested in the philosophy

of Christian Wolff. Due to a conflict with the Pietists Wolff had been expelled from Halle in 1723 and gone to Marburg, from where he returned in 1740. Wolff taught philosophy in Halle until his death in 1754, dealing especially with natural law. Since it was a subject of special interest to law-students, we can be sure that von Graffenried attended his lectures. Von Graffenried's interest in

FIGURE 1 Title page of the first volume of the manuscript

the philosophy of Wolff is clearly documented by the large number of Wolff's works in his library. What is more, we have already found copious marginalia and other material from his hand in these books which document that von Graffenried was indeed seriously occupied with the philosophy of Wolff. The marginalia and the added notes in Wolff's 'Logica', 'Ontologia' and 'Theologia naturalis' indicate that von Graffenried's interest in Wolff went much further than one might expect from a normal law-student at the time. Von Graffenried not only bought and read Wolff's published works, he also managed to buy manuscript lecture notes. It was an exciting surprise in a Swiss noble-man's private library to find notes which document Wolff's hitherto completely unknown lectures on physics, anatomy and – probably the most interesting manuscript – the already mentioned lecture course on Grotius's *De iure belli ac pacis*.

It is well-known that Wolff developed his own natural law theory – which appeared between 1740 and 1748 in no less than eight volumes – in close connection with Grotius's *De iure belli ac pacis*. As a sort of preparation of his studies on natural law Wolff provided his own edition of Grotius's masterpiece in 1734; this was issued with a preface but was without any further comments. His idea was to reset the discussion on Grotius by providing direct access to the text itself. It is also well-known that Wolff gave lectures on *De iure belli ac pacis* with the explicit aim to provide Grotius's important theory with the theoretical certainty that he considered necessary and which he tried to supply by indubitable definitions of concepts and logical inferences. In fact the notes from the course on Grotius provide an extensive documentation of exactly this procedure. It shows how Christian Wolff was occupied with *De iure belli ac pacis* while busy with the preparation of his own natural law theory.

The lecture notes comprise eight volumes with 5,474 handwritten pages. Every volume has a date, so we can see that the course as a whole began in June 1739 and ended in May 1740. Except for October and December 1739 and for February and April 1740 each month saw a volume with – in most cases – more than seven hundred pages. The manuscript itself is in a very good condition, the handwriting is neat and very readable. Since we can distinguish a couple of different hands, it is most likely that the manuscript was written by professionals who were writing while Wolff was dictating and who had been hired either by Wolff himself or by people of wealth as well as with a keen interest in Wolff. Although we do not know much about the practices concerning lecture notes in general, it is well-known that there was a market for well made notes, especially for notes documenting lectures of prominent scholars. The exact circumstances of Wolff's Grotius-course are still to be explored; at the moment we can only say that the notes were written in Marburg during the months

before Wolff was called back to Halle by the Prussian king. In Halle Wolff was mostly busy with his own natural law theory, on which he lectured as it was developing and alternating with lectures on Grotius's *De iure belli ac pacis*. At the moment it is not clear whether Emanuel von Graffenried bought the manuscript in Halle or later during his stay in Marburg, but we can be sure that he attended both Wolff's Grotius-course and his lectures on his own natural law theory in Halle.

The lectures have narrative elements of style which are typical for lectures, including summaries and announcements concerning the subject of the lessons. It is written in Latin and in German, and at the first sight there is no obvious reason for the choice of language in a given passage. The course follows the Grotius-text exactly step by step, beginning with the first paragraph of the prolegomena and ending with the last paragraph of the last chapter of the third book. We find comments on and explanations of every single paragraph of *De iure belli ac pacis* with discussions of more recent and contemporary concepts – especially the natural law of Samuel Pufendorf and Christian Thomasius – and with extensive references to other theories such as the natural law theory of Thomas Aquinas. The manuscript gives insight into the theoretical workshop of Christian Wolff before and parallel to the genesis of his own natural law theory. And since we learn from this text Wolff's evaluation of other important natural law theories of his time, there cannot be any doubt that the course must be counted as one of the major texts of natural law discourse during the eighteenth century – in spite of the fact that it is at the moment completely unknown.

In view of the importance of this text it is clear that it has to be presented to the scholarly world in an appropriate edition. The international network "Natural Law 1625-1850" – a cooperation between the Max-Weber-Kolleg in Erfurt and the Interdisciplinary Centre of Enlightenment studies in Halle (Saale) – is now establishing a project, together with the University of Lausanne, to prepare a complete edition with a comprehensive commentary. This will be available as a printed book as well as a digital online edition. Once the edition is ready, the network will organize a conference to explore Wolff's extraordinary analysis of Grotius.